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June 16, 2021

Via ECF

The Honorable Joseph F. Bianco
United States Circuit Judge
United States Court of Appeals for the Second Circuit
1040 Federal Plaza
Central Islip, New York 11722

Re: United States v. Kenner, 13-CR-607

Dear Judge Bianco,

This office has been appointed as standby counsel to assist Phillip Kenner in his capacity as a *pro se* litigant. Mr. Kenner is requesting permission to appear telephonically at his upcoming restitution hearing. Mr. Kenner is seeking this accommodation to avoid the need for quarantine, and because a telephone conference can be scheduled with the MDC sooner than a video conference.

I have conferred with counsel for the Government, who also consents to proceed by telephone. I understand that all parties are available to appear telephonically at noon on June 28th.

Accordingly, I am respectfully asking the Court to schedule Mr. Kenner restitution hearing to take place telephonically on June 28, 2021 at 12:00.

Thank you for your consideration.

Respectfully submitted,

/s/

Matthew W. Brissenden

cc: All Counsel (via ECF)
Phillip Kenner

SO ORDERED
/s/Joseph F. Bianco

Joseph F. Bianco, USCJ

Sitting by Designation.

Date: June 16 2021

Central Islip, N.Y.